

Humboldt County Division of Environmental Health

Deficiency Progress Report 5

Prepared by Cal/EPA based on information submitted by the CUPA.

Evaluation Date: August 16, 2005

State Evaluation Team

Cal/EPA Evaluator Tina Gonzales

1. **Deficiency:** The CUPA is not implementing and enforcing the requirements of the business plan program for all regulated businesses. The CUPA is not regulating farms that are subject to the business plan program.

CUPA Corrective Action (June 6, 2006): We have not made any progress on the regulation of farms in Humboldt County. The Agricultural Commissioner has been on a long-term medical leave. Upon her return, we would like to meet with her and come up with a mutually acceptable plan for bringing farms into compliance with our programs.

CUPA Corrective Action (September 13, 2006): Please see the attached draft memo to the Acting County Ag Commissioner. The memo provides the Acting Ag Commissioner with the opportunity to implement and meet the regulatory standards for hazardous materials/waste. If the Commissioner opts out, then the CUPA may require the farms, mostly dairies, to submit and implement a Hazardous Materials Business Plan for their hazardous materials and waste, pay fees, and be subject to inspection.

CUPA Corrective Action (December 21, 2006): The CUPA submitted a draft Agreement between the Agricultural Commissioner and the Humboldt County CUPA. The CUPA is working on procedures, a letter from the Commissioner to the farms, and a form for the collection of facility/inventory information.

On January 5, 2007, the CUPA submitted a revised Agreement between Humboldt County and the County Agricultural Commissioner.

CUPA Corrective Action (February 27, 2007): On January 12, 2007, the Division's Director sent a memo to the Ag Commissioner with the Agreement and a request to sign and return. We also included the CUPA's Guidelines for Generators of Hazardous Waste, a flyer on the SQG/HHW facility, instructions for obtaining an EPA ID #, fact sheets on: H/W Gen[erator] Requirements, Managing empty Containers, and Used Oil Filter Management.

On January 17, 2007, numerous electronic version documents were sent to the Ag Commissioner including: Emergency Response/Employee Training forms, a drafted letter to Ag facilities from the Commissioner's Office, a drafted Ag. Facility reporting form, DTSC's empty container and H/W Generators fact sheets, and EPA ID# form.

We are awaiting a signed copy of the Agreement from the Ag Department. Once received, we will provide a copy of the signed Agreement to you [Cal/EPA].

CUPA Corrective Action (April 9, 2007): [Humboldt County CUPA submitted a copy of the memo, dated March 9, 2007, from Humboldt County Ag Commissioner regarding the Agreement.]

CUPA Corrective Action (May 21, 2007): The Humboldt County CUPA received a (11/15/06) print-out from the Agricultural Department reporting their regulated farms and ranches. From this list of 116 facilities, 14 are currently in the CUPA's Hazardous Materials Business Plan (HMBP) program and 12 of those have had routine compliance inspections within this fiscal year. At least three additional facilities on this list have been previously inspected and were found to be exempt from the HMBP program.

I [Melissa Martel of Humboldt County CUPA] have selected an additional 22 facilities from the list that CUPA staff will conduct (or has already conducted) routine or exemption verification inspections on before September 30, 2007. These facilities are listed on the attached memo to staff dated May 16, 2007.

If you [Cal/EPA] would like the dates of compliance inspections or copies of the inspection reports, please feel free to contact Melissa Martel at (707) 268-2212. Thank you for your assistance in correcting this deficiency.